

ORDINANCE 82-8

TO AMEND CHAPTER 10.08 OF THE BLOOMINGTON MUNICIPAL CODE
ENTITLED "WASTEWATER RATES AND CHARGES," TO ADOPT CHARGES FOR
NEW USERS AND USERS CHANGING ACTIVITY

BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

SECTION 1. Section 10.08.140 shall be added to Chapter 10.08 of the Bloomington Municipal Code to read as follows:

10.08.140 Charges for new users and users changing activity.

(a) Charges shall be collected by the utility from new users and users changing activity as payment toward the cost of added needed interceptor and trunk line sewers, pumping stations serving such sewers, and other capital costs connected with the increased usage, but shall not be used for operation and maintenance of the plant nor for new lateral sewers.

(b) The following standards shall apply to the charges:

- (1) All city residents who connect to the system prior to July 26, 1983 and who were at the effective date of this chapter users of the water utility shall not be subject to the charges.
- (2) All persons other than those described in subsection (1) who connect to the system after the effective date of this chapter shall be subject to the charges.
- (3) All users who after the effective date of this chapter change the use of a pre-existing structure for which a connection had been maintained shall be subject to the charges at the time the use is changed, but only if the amount specified in subsection (c) is greater for the new use than for the old, in which case the charge shall be the amount by which the new use exceeds the old use. In the event the amount specified for the old use is greater than for the new, no refund shall be issued by the utility.

(c) The charges shall be as follows:

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| (1) Residential user | \$306 |
| (2) Apartment house or complex | \$145 per unit |
| (3) Mobile home | \$223 per unit |
| (4) Restaurant and cocktail lounge | \$1,192 per 1,000 sq.ft. of area utilized |
| (5) Laundromat | \$4,054 per 1,000 sq.ft. of area utilized |
| (6) Car wash | \$1,908 per 1,000 sq.ft. of area utilized |
| (7) Hotel and motel | \$429 per 1,000 sq.ft. of area utilized |
| (8) Dormitory, fraternity, sorority, and rooming house | \$370 per 1,000 sq.ft. of area utilized |
| (9) Retail establishment, warehouse, and distribution center | \$81 per 1,000 sq.ft. of area utilized |
| (10) Industrial user | \$161 per 1,000 sq.ft. of area utilized |
| (11) School building (including classroom, administrative, laboratory, and cultural use) office building, recreational building, and building of miscellaneous use | \$146 per 1,000 sq.ft. of area utilized |

(d) The charges specified in subsections (c) (4) through (11) shall be considered preliminary charges. At the end of one year of occupancy and actual usage, an actual usage charge shall be calculated of forty dollars per 1,000 gallons billed per month. In the event the actual usage charge is less than the preliminary charge, a refund for the difference shall be issued to the user. No additional charge shall be imposed if the actual usage charge is greater than the preliminary charge.

(e) All users shall be eligible to pay the charge on a deferred payment basis. At the user's option the charge may be made part of the monthly general service charge over a period of five years at the rate of 12% per year with interest computed annually on the balance owed at the beginning of the user's payment year. Such deferred payments shall continue to be a charge against subsequent owners of the property until paid.

(f) Delinquency in payment of these charges shall be considered equivalent to delinquency in payment of the monthly general service charge. The entire unpaid balance of deferred payments may be called due as part of the collection procedure.

SECTION 2. These charges shall take effect March 1, 1982.

SECTION 3. Severability. If any sections, sentences or provisions of this ordinance, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 1982

Patrick J. Murphy, President
Bloomington Common Council

ATTEST:

Patricia Williams, City Clerk

Presented by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 1982.

Patricia Williams, City Clerk

Francis X. McCluskey, Mayor
City of Bloomington

SYNOPSIS

This ordinance adopts a schedule of charges for persons who connect to the wastewater system and those whose change in use results in added needed capacity for the wastewater system. The purpose is to recover from these persons their portion of system improvement costs required by constant expansion of the system. The charges were adopted by the Utilities Service Board on January 11, 1982 and will take effect March 1, 1982.